

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SCOTTSDALE INSURANCE COMPANY, an  
Ohio Corporation

CASE NO. C 07-01919 MJJ

Plaintiff(s),

STIPULATION AND ~~[PROPOSED]~~  
ORDER SELECTING ADR PROCESS

v.

SADDLE RACK, INC., DANIEL MCKEOWN, JOHN  
FURTUNA, DAVIN LAWSON, TY BLOOMQUIST and  
DOES 1-100

Defendant(s).

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

**Court Processes:**

- ☐ Non-binding Arbitration (ADR L.R. 4)  
☐ Early Neutral Evaluation (ENE) (ADR L.R. 5)  
☐ Mediation (ADR L.R. 6)

*(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

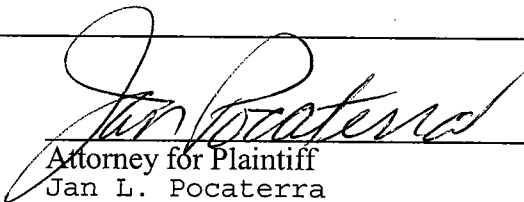
**Private Process:**

- ☒ Private ADR (please identify process and provider) TBD

The parties agree to hold the ADR session by:

- ☒ the presumptive deadline *(The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered. )*  
☐ other requested deadline \_\_\_\_\_

Dated: 7/19/07

  
Attorney for Plaintiff  
Jan L. Pocaterra

Dated: \_\_\_\_\_

\_\_\_\_\_  
Attorney for Defendant  
David J. Stock

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- ☒ Private ADR (please identify process and provider) TED

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- ☒ the presumptive deadline (The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)  
☐ other requested deadline \_\_\_\_\_

Dated: \_\_\_\_\_

Dated: 7/10/07

Attorney for Plaintiff  
Jan L. Pocaterra

Attorney for Defendant  
David J. Stock

When filing this document in ECF, please be sure to use the appropriate ADR Docket Event, e.g., "Stipulation and Proposed Order Selecting Early Neutral Evaluation."

~~[PROPOSED]~~ ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to:


- ☐ Non-binding Arbitration
- ☐ Early Neutral Evaluation (ENE)
- ☐ Mediation
- ☒ Private ADR

Deadline for ADR session

- ☒ 90 days from the date of this order.
- ☐ other \_\_\_\_\_

IT IS SO ORDERED.

Dated: 7/16/07

  
\_\_\_\_\_  
MARTIN J. JENKINS  
UNITED STATES DISTRICT JUDGE

**PROOF OF SERVICE**

Scottsdale Insurance Company v. Saddle Rack, Inc., et al.

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and am not a party to the within action; my business address is 11766 Wilshire Boulevard, Sixth Floor, Los Angeles, CA 90025. On July 10, 2007, I served the following document(s) described as STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS on the interested parties in this action as follows:

by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

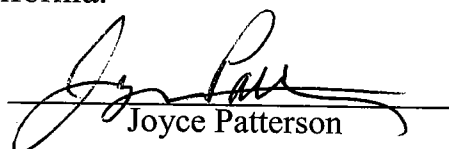
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Attorneys for Defendants  
SADDLE RACK, INC., DANIEL  
MCKEOWN, JOHN FURTUNA,  
DAVIN LAWSON and TY  
BLOOMQUIST  
Tel: 408-293-0463  
Fax: 408-293-9514  
Email: dstock@rllss.com

- ☒ **BY MAIL:** By placing a true copy thereof in a sealed envelope addressed as above, and placing it for collection and mailing following ordinary business practices. I am readily familiar with the firm's practice of collection and processing correspondence, pleadings, and other matters for mailing with the United States Postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- ☐ **BY OVERNIGHT COURIER:** I caused the above-referenced document(s) to be delivered to for delivery to the addressee(s).
- ☐ **BY E-MAIL:** I transmitted a copy of the foregoing documents(s) via e-mail to the addressee(s).
- ☐ **BY FAX:** I transmitted a copy of the foregoing documents(s) via telecopier to the facsimile numbers of the addressee(s), and the transmission was reported as complete and without error.
- ☐ **BY PERSONAL SERVICE:** I personally delivered such envelope by hand to the offices of the addressee(s).

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on July 10, 2007, at Los Angeles, California.

  
Joyce Patterson

Selman Breitman LLP  
ATTORNEYS AT LAW